

## **REMARKS**

Applicant has carefully reviewed the Office Action mailed January 28, 2010 and offers the following remarks.

Claims 1-8, 11-16, 18, 19, 21-23, 25, 26, 29-34, 36, 37, 39, and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0134650 A1 to Sundar et al. (hereinafter “Sundar”) in view of U.S. Patent No. 5,901,359 to Malmstrom (hereinafter “Malmstrom”) and further in view of U.S. Patent No. 5,920,815 to Akhavan (hereinafter “Akhavan”). Applicant respectfully traverses. When rejecting a claim under § 103, the Patent Office must either show that the prior art references teach or suggest all limitations of the claim or explain why the difference(s) between the prior art and the claimed invention would have been obvious to one of ordinary skill in the art. *KSR Int’l Co. v. Teleflex, Inc.*, 550 U.S. 398, 418, 82 U.S.P.Q.2d (BNA) 1385 (2007). The gap between the prior art and the claimed invention may not be “so great as to render the [claim] nonobvious to one reasonably skilled in the art.” *Dann v. Johnston*, 425 U.S. 219, 230, 189 U.S.P.Q. (BNA) 257, 261 (1976). In this case, the Patent Office has failed to show where each and every limitation of the claims is taught or suggested by the prior art. Further, for those limitations of the claims that are not taught or suggested by the prior art, the Patent Office has failed to explain why those limitations would have been obvious to one of ordinary skill in the art.

Claims 1 and 22 both recite that the temporary directory number used to initiate a transition of the first call when the mobile terminal is detected to be moving out of the local wireless communication zone is a temporary directory number that is provided by a visited wireless switch currently providing cellular wireless access for the mobile terminal. The combination of Sundar, and Malmstrom, and Akhavan does not teach this limitation. Thus, the invention as claimed is patentable.

The combination of Sundar, Malmstrom, and Akhavan does not teach or suggest a control system cooperating with the wireline network interface and the local wireless interface and adapted to “initiate a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the cellular wireless network using a temporary directory number **provided by a visited wireless switch currently providing cellular wireless access for the**

mobile terminal,” as recited in claim 1. Neither Sundar nor Malmstrom teaches or suggests this limitation for the reasons previously set forth (See Amendments and Remarks to Accompany Request for Continued Examination filed December 11, 2009, pp. 9-12). The Patent Office now agrees that Sundar and Malmstrom does not teach or suggest that a temporary directory number is provided by a visited wireless switch currently providing wireless access for the mobile terminal (Office Action mailed January 28, 2010, p. 4). However, the Patent Office argues that column 14, lines 13-25 of Akhavan teaches this limitation. *Id.* Applicant respectfully disagrees.

Akhavan merely discloses that when a subscriber roams into an area serviced by a mobile telephone switching office (MTSO) and wishes to receive calls through that MTSO, the subscriber must place a request with that MTSO (Akhavan, col.14, lines 13-15). The foreign MTSO assigns a temporary directory number to the subscriber and transmits that number to the subscriber’s home MTSO as part of an instruction to forward all future calls for the subscriber to the foreign MTSO (Akhavan, col. 14, lines 15-20). Akhavan thus does not teach what is claimed. In the claimed invention, the temporary directory number is provided by a visited wireless switch currently providing cellular wireless access for the mobile terminal. The foreign MTSO provides the temporary directory number in Akhavan, but it is not currently providing cellular wireless access for the mobile terminal. In fact, the foreign MTSO has to send the temporary directory number to the subscriber’s home MTSO before it can start providing wireless access for the subscriber. Thus, the foreign MTSO in Akhavan is not currently providing cellular wireless access for the mobile terminal when it provides the temporary directory number to the home MTSO. If the foreign MTSO was currently providing cellular wireless access for the mobile terminal, there would be no need to send the temporary directory number as part of an instruction to forward all future calls for the subscriber to the foreign MTSO, as taught in Akhavan (Akhavan, col. 14, lines 17-20).

In addition, Akhavan does not teach or suggest that the temporary directory number provided by the visited wireless switch currently providing cellular wireless access for the mobile terminal is used to “initiate a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the cellular wireless network using a temporary directory number,” as recited in claim 1. Akhavan discloses that the temporary directory number is transmitted “as part of an instruction to the home MTSO to forward all future calls for the

subscriber to the foreign MTSO.” (Akhavan, col. 14, lines 17-20). In the claimed invention, the temporary directory number used to initiate a transition of the first call when the mobile terminal is detected to be moving out of the local wireless communication zone. Akhavan uses the temporary directory number to forward all future calls to the foreign MTSO. Akhavan is silent as to using the temporary directory number to “initiate a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the cellular wireless network,” as recited in claim 1. In fact, if the temporary directory number was used as taught in Akhavan, nothing would happen to existing calls. All future calls would be sent to the foreign MTSO, but existing calls would still not be transitioned when the mobile terminal is detected to be moving out of the local wireless communication zone, from being connected to the mobile terminal through the wireline network via the local wireless interface to being connected to the mobile terminal through the cellular wireless network. Thus, Akhavan also fails to teach or suggest using the temporary directory number provided by the visited wireless switch currently providing cellular wireless access for the mobile terminal to “initiate a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the cellular wireless network,” as recited in claim 1.

For the above reasons, Akhavan does not teach or suggest using a temporary directory number “provided by a visited wireless switch currently providing cellular wireless access for the mobile terminal” to “initiate a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the cellular wireless network using a temporary directory number,” as recited in claim 1. Since Akhavan does not teach or suggest this limitation and the Patent Office has admitted that the combination of Sundar and Malmstrom does not teach or suggest this limitation, claim 1 is patentable over the combination of Sundar, Malmstrom, and Akhavan.

Independent claim 22 recites similar limitations as the limitations of claim 1 and is thus patentable for at least the same reasons set forth above with respect to claim 1.

Claims 2, 4-8, 11-16, 18, 19, and 21, depend from claim 1 and include all of the limitations of claim 1, and are thus not obvious for at least the same reasons. Claims 23, 25, 26,

29-34, 36, 37, 39, and 40, depend from claim 22 and include all of the limitations of claim 22, and also are not obvious for at least the same reasons.

The distinctions between the claimed invention and the combination of Sundar, Malmstrom, and Akhavan are highlighted when looking at claims 2 and 23. Claims 2 and 23 recite “wherein the mobile terminal is registered with the cellular wireless network while the first call is established and the temporary directory number is assigned to the mobile terminal by the visited wireless switch upon registration.” Sundar does not teach this limitation, and neither does Malmstrom for the reasons previously set forth (See Amendments and Remarks to Accompany Request for Continued Examination filed December 11, 2009, pp. 12-14). Akhavan does not cure the deficiencies of Sundar and Malmstrom in this regard.

Akhavan merely discloses that automatic registration of roaming subscribers is known (Akhavan, col. 14, lines 6-8). Akhavan also states that when a subscriber roams into an area serviced by a mobile telephone switching office (MTSO) and wishes to receive calls through that MTSO, the subscriber must place a request with that MTSO and the foreign MTSO assigns a temporary directory number to the subscriber and transmits that number to the subscriber’s home MTSO as part of an instruction to forward all future calls for the subscriber to the foreign MTSO (Akhavan, col. 14, lines 13-20). However, there is no teaching or suggestion in Akhavan that the mobile terminal is registered with the cellular wireless network while the first call is established and the temporary directory number is assigned to the mobile terminal by the visited wireless switch upon registration, as recited in claims 2 and 23. In fact, Akhavan discloses that the temporary directory number is sent to the home MTSO before calls can be handled by the foreign MTSO. Thus, the registration and assigning of a temporary directory number does not take place in Akhavan while the first call is established, as recited in claims 2 and 23. Thus, Akhavan does not teach or suggest that the temporary directory number is assigned to the mobile terminal by the visited wireless switch upon registration of the mobile terminal with the cellular wireless network, and that the mobile terminal is registered with the cellular wireless network while the first call is established, as recited in claims 2 and 23. The combination of Sundar and Malmstrom also does not teach or suggest this limitation. Accordingly, claims 2 and 23 are patentable over the combination of Sundar, Malmstrom, and Akhavan for this additional reason.

Claims 9, 10, 27, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sundar, Malmstrom, and Akhavan and further in view of U.S. Patent No. 5,260,988 to

Schellinger et al. (hereinafter “Schellinger”). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claims 9 and 10 depend from claim 1 and include all of the limitations of claim 1. Claims 27 and 28 depend from claim 22 and include all of the limitations of claim 22. Claims 9, 10, 27, and 28 are thus patentable for the same reasons set forth above with respect to claims 1 and 22. In particular, the combination of Sundar, Malmstrom, and Akhavan fails to teach or suggest initiating a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the cellular wireless network using a temporary directory number provided by a visited wireless switch currently providing cellular wireless access for the mobile terminal, as recited in claims 1 and 22. Schellinger fails to cure the deficiencies of Sundar, Malmstrom, and Akhavan in this regard. Thus, claims 9, 10, 27, and 28 are patentable over the combination of Sundar, Malmstrom, Akhavan, and Schellinger.

Claims 20 and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sundar, Malmstrom, and Akhavan and further in view of U.S. Patent Application Publication No. 2002/0061744 A1 to Hamalainen et al. (hereinafter “Hamalainen”). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claim 20 depends from claim 1 and includes all of the limitations of claim 1. Claim 38 depends from claim 22 and includes all of the limitations of claim 22. Claims 20 and 38 are thus patentable for the same reasons set forth above with respect to claims 1 and 22. In particular, the combination of Sundar, Malmstrom, and Akhavan fails to teach or suggest initiating a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the cellular wireless network using a temporary directory number provided by a visited wireless switch currently providing cellular wireless access for the mobile terminal, as recited in claims 1 and 22. Hamalainen fails to cure the deficiencies of Sundar, Malmstrom, and Akhavan in this regard. Thus, claims 20 and 38 are patentable over the combination of Sundar, Malmstrom, Akhavan, and Hamalainen.

Claims 17 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sundar, Malmstrom, and Akhavan and further in view of U.S. Patent Application Publication

No. 2004/0132485 A1 to Charney et al. (hereinafter "Charney"). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claim 17 depends from claim 1 and includes all of the limitations of claim 1. Claim 35 depends from claim 22 and includes all of the limitations of claim 22. Claims 17 and 35 are thus patentable for the same reasons set forth above with respect to claims 1 and 22. In particular, the combination of Sundar, Malmstrom, and Akhavan fails to teach or suggest initiating a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the cellular wireless network using a temporary directory number provided by a visited wireless switch currently providing cellular wireless access for the mobile terminal, as recited in claims 1 and 22. Charney fails to cure the deficiencies of Sundar, Malmstrom, and Akhavan in this regard. Thus, claims 17 and 35 are patentable over the combination of Sundar, Malmstrom, Akhavan, and Charney.

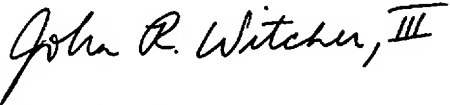
Claims 41 and 42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sundar, Malmstrom, and Akhavan and further in view of U.S. Patent No. 5,579,375 to Ginter (hereinafter "Ginter"). Applicant respectfully traverses. The standards for obviousness are set forth above.

Claim 41 depends from claim 1 and includes all of the limitations of claim 1. Claim 42 depends from claim 22 and includes all of the limitations of claim 22. Claims 41 and 42 are thus patentable for the same reasons set forth above with respect to claims 1 and 22. In particular, the combination of Sundar, Malmstrom, and Akhavan fails to teach or suggest initiating a transition of the first call being connected to the mobile terminal through the wireline network via the local wireless interface to the first call being connected to the mobile terminal through the cellular wireless network using a temporary directory number provided by a visited wireless switch currently providing cellular wireless access for the mobile terminal, as recited in claims 1 and 22. Ginter fails to cure the deficiencies of Sundar, Malmstrom, and Akhavan in this regard. Thus, claims 41 and 42 are patentable over the combination of Sundar, Malmstrom, Akhavan, and Ginter.

The present application is now in condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact Applicant's representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,

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